

WASHINGTON. D.C. – House Committee on Oversight and Government Reform Ranking Member Darrell Issa (R-CA) has sent a referral and request for investigation to the U.S. Office of Special Counsel regarding Hatch Act violations committed by White House Chief of Staff Rahm Emanuel and Deputy Chief of Staff Jim Messina for their participation in the Sestak-Romanoff controversy.

[In the Emanuel referral](#) , Issa wrote, “Rahm Emanuel was leveraging the power and access of his official position to advance the political interests of the Democratic Party by affecting the result of the Pennsylvania Democratic Primary. Averting divisive primary campaigns and protecting a Democratic seat in the U.S. House of Representatives are purely political concerns and as such, federal officials are prohibited from using their official authority or influence to address them...this is precisely the sort of behavior forbidden by the Hatch Act.”

The Hatch Act prohibits (1) restricted federal officials from (2) using official authority or influence for the purpose of (3) interfering with or affecting the result of an election.

[Issa offered the Messina referral](#) "based on evidence produced by former Speaker of the Colorado General Assembly Andrew Romanoff and White House Press Secretary Robert Gibbs. Speaker Romanoff is currently a candidate for the U.S. Senate."

"In the White House's June 3, 2010 public statement, Mr. Gibbs claimed that clearing the field for a candidate preferred by the White House was not problematic because 'there was no offer of a job.' There is evidence to the contrary," wrote Issa. "Additionally, a finding of a Hatch Act violation does not require that a job was formally offered; any use of official authority by a restricted federal official to interfere with or affect the outcome of an election is unlawful."

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: the Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA).

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